

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
**Incarcerated Creative Arts Guidelines**

The enclosed work of Creative Art has been submitted by an individual currently incarcerated in a New York State Department of Corrections and Community Services (NYSDOCCS) facility for use in a contest, exhibition, or publication.

Individuals incarcerated in a NYSDOCCS facility are forbidden to receive any prize(s), gift(s), or proceeds generated by the use of their creative art resulting from any contest, sale, auction, or publishing. Any prize, gift, or money for the rights, use, and/or publishing of an incarcerated individual's creative art are to be donated to the NYS Office of Victim Services unless approved for donation to a non-profit organization by NYSDOCCS.

A creative arts project sent out of the facility by an incarcerated individual cannot be returned, unless approved by the facility Superintendent under exceptional circumstances.

All publications, including incarcerated individual creative arts projects published in book, magazine, or newsletter format sent to or brought into a facility are subject to the guidelines of Directive #4572, "Media Review":

- A. In general, the materials must be acceptable for regular mailing according to United States Postal Law and regulations.
- B. Publications which contain child pornography, or which promote a sexual performance of a child in violation of Penal Law Article 263 are unacceptable. Publications in which models of any age are depicted or portrayed as underage persons in sexually provocative poses or engaged in sexual activity are unacceptable. Publications depicting nude children in a non-pornographic context but, which could promote or encourage prurient interest in the sexual performance of children, are unacceptable. Publications which are obscene when taken as a whole by the average person applying contemporary community standards, appeal to prurient interest, which depict or describe in a patently offensive way sexual bestiality, sadism, masochism, necrophilia, or incest, and which taken as a whole lack serious literary, artistic, political, or scientific value, are unacceptable.
- C. The publication should not incite violence based on race, religion, sex, sexual orientation, creed, or nationality. "Incite violence" for purposes of this guideline means to advocate, expressly or by clear implication, acts of violence.
- D. Any publication which advocates and presents a clear and immediate risk of lawlessness, violence, anarchy, or rebellion against Governmental authority is unacceptable.
- E. The publication should not incite disobedience towards law enforcement officers or prison personnel. "Incite disobedience" for purposes of this guideline means to advocate, expressly or by clear implication, acts of disobedience.
- F. The publication should not give instruction in the use or manufacture of firearms, explosives, and other weapons, or depict or describe their manufacture. Mere depictions of the use of hunting and/or military weapons which reasonably would not affect the safety and/or security of the facility are not prohibited.
- G. The publication should not provide instruction by word(s) or picture(s) regarding martial arts skills. Martial arts include, but are not limited to, aikido, jujitsu, judo, karate, kung fu, and tai chi chu'an. Publications which discuss martial arts without providing instruction are acceptable.
- H. The publication should not:
  1. Contain information which appears to be written in code; or
  2. Depict or describe methods of lock picking; or
  3. Depict or describe methods of escape from correctional facilities; or
  4. Contain detailed maps or topographical maps, which could aid an inmate in an escape. No maps of New York State shall be allowed without specific approval of the Superintendent.  
NOTE: Maps that are designated for educational purposes and do not violate the above criteria, including the World Atlas, Geographical Map of the United States, etc. are acceptable; or
  5. Depict or describe methods of survival techniques which could aid an inmate in an escape from a correctional facility; or
  6. Depict or describe procedures for the brewing of alcoholic beverages or the manufacture of drugs or use of illegal drugs; or
  7. Depict or describe methods or procedures for smuggling prison contraband; or
  8. Depict or describe techniques or methods for rioting and/or information instructive in hostage or riot negotiation techniques; or
  9. Depict or describe hand signs, insignias, graffiti, or any other identifiers depicting or pertaining to a gang, or text that describes or depicts gang or other unauthorized group activity in such a way that it would promote or instruct in the formation of such groups inside a correctional facility.